

AGENDA

Tuesday, May 8, 2018
4:00 PM

4:00 CALL MEETING TO ORDER (M. Todd Dishner, Chairman)

CLOSED SESSION

Code of Virginia, Section 2.2-3711 **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made and **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation.

5:00 CALL MEETING TO OPEN SESSION

Invocation and Pledge of Allegiance

ADOPTION OF AGENDA

Adopt the agenda and the additional agenda as presented

MINUTES OF PREVIOUS MEETINGS

Request adoption of the April 10th, 2018 meeting minutes

FINANCIAL STATUS

Michael Carter – Inform the Board of the County's financial status

PAYMENT OF INVOICES

Consideration of appropriations and accounts payable as listed on the additional agenda

5:15 CITIZENS TIME

5:30 Dr. Karen Shelton and Brianna Forbes Hubbard-Smyth County Health Dept. Community Health Assessment Update

5:45 James Tyler, CEO Smyth County Community Hospital- Ballad Health Resolution

NEW BUSINESS

***Schedule Public Hearing for VDOT 6-year Plan-Michael Carter**

***Opportunity Zone Designation-Michael Carter**

***Opioid Litigation Consideration-Jeff Campbell**

***Committee Recommendations:**

- **Budget Committee-M. Todd Dishner, Chair**
- **Courthouse Committee-Rick Blevins, Acting Chair**
- **Solid Waste Committee-R. Curtis Rhea, Chair**

***Supervisor Comment Time**


The Smyth County Board of Supervisors held its regular meeting at 4:00 p.m., Tuesday, April 10, 2018. The location of the meeting was in the First-Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chairman, Park District Supervisor M. Todd Dishner; Vice Chairman, Rye Valley District Supervisor Rick K Blevins; Saltville District Supervisor Roscoe D Call; North Fork District Supervisor Phil Stevenson; Chilhowie District Supervisor R. Curtis Rhea; Atkins District Supervisor Charles Atkins; Royal Oak District Supervisor Judy Wyant (7)

ABSENT: None.

STAFF: County Administrator Michael Carter; Assistant County Administrator Scott Simpson; County Attorney Jeff Campbell; Administrative Assistant Kelly Woods (4)

OTHERS: Stephanie Porter-Nichols, Smyth County News and Messenger, Deputy with the Smyth County Sheriff's Office and several citizens.

 4/10/2018 4:06 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting to order. A motion was made by Vice Chairman, Rye Valley District Supervisor Rick K Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 – **A.1; Personnel Matters**; Discussion, consideration, or interviews of prospective candidates for employment and contracts; **A.5; Industrial/Business Prospects**; discussion concerning a business or industry considering expansion with no previous announcement being made. **A.7 Legal**; discussion with legal counsel and staff pertaining to actual or probable litigation. Saltville District Supervisor Roscoe D. Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 4/10/2018 5:00 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from Closed session.

It was moved by Vice Chairman Rye Valley District Supervisor Rick K Blevins, seconded by Saltville District Supervisor Roscoe D. Call, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Smyth County Board of Supervisors.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



4/10/2018 5:00 PM Sandy Elswick, Voter Registrar gave the invocation and Shannon Williams, 911 Coordinator led The Pledge of Allegiance.



4/10/2018 5:01 PM A motion was made by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to adopt the agenda and additional agenda as presented.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 4/10/2018 5:02 It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to approve the minutes from the March 13th and March 22nd meeting, with correction being made to page 13 of the March 13th minutes, identifying the ongoing litigation with the Friends of the Library and not Smyth Bland Regional Library as previously recorded.

After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Chilhowie District Supervisor R. Curtis Rhea and
(*)Royal Oak District Supervisor Judy Wyant.


NAYS: Atkins District Supervisor Charles Atkins and (*)Royal Oak District Supervisor Judy Wyant.

ABSTAINERS: None.

ABSENT: None.

(*)After review of the notes and video from the meeting, record shows Royal Oak District Supervisor Judy Wyant voted twice on the matter stated above.

 4/10/2018 5:03 PM Michael Carter, County Administrator presented the Board with information on the current FY2017-2018 budget and a current month analysis for appropriations.

 4/10/2018 5:12 PM It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Chilhowie District Supervisor R. Curtis Rhea to appropriate \$1,895,000.00 from the General Fund. The following is an explanation of the appropriations approved:

General County

Accounts Payable Listing:	\$ 1,201,149.51
Payroll:	\$ 670,018.30
Auto Draft Rural Development:	\$ 8,974.00
AEP/Century Link Bills:	\$ 25,000.00
County Administration Fund:	\$ 5,000.00
Minus Beginning Appropriation:	\$ (138,582.15)
New Carryover for April:	\$ 123,440.34

Total County Appropriation: \$ 1,895,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins to appropriate \$400,000.00 from the General Fund for the Department of Social Services. The following is an explanation of the appropriations approved:

Social Services

(April 11-April 30, 2018)	\$ 340,000.00
(May 1-May 8, 2018)	\$ 60,000.00
Total Social Services:	\$ 400,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe D. Call to appropriate \$3,875,000.00 from the General Fund for the Smyth County School Board Operating Fund. The following is an explanation of the appropriations approved:

Schools-Operating Fund

Instruction	\$2,850,000.00
Administration, Attendance, & Health	\$ 115,000.00
Transportation	\$ 200,000.00
Facilities	\$ 300,000.00
School Food Service	\$ 300,000.00

Technology	\$ 110,000.00
Total School Operating Fund:	\$3,875,000.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Atkins District Supervisor Charles Atkins, seconded by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins to appropriate \$63,000.00 from the General Fund for School Debt Service.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by Atkins District Supervisor Charles Atkins to appropriate \$1,120.48 from the Sheriff's Fund 748 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Saltville District Supervisor Roscoe D. Call, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$3,000.00 from the EDA Fund 4 for open invoices.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It was moved by Vice Chairman, Rye Valley District Supervisor Rick K. Blevins, seconded by North Fork District Supervisor Phil Stevenson to appropriate \$14,088.90 from Fund 307 for the Adwolfe Sewer Project.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chairman, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



4/10/2018 5:16 PM Chairman, Park District Supervisor M. Todd Dishner opened citizens time.

Reverend Emily Edminston, 37367 Rafferty Road, Chilhowie spoke concerning the Remote Area Medical Clinic that is scheduled to be held on May 4-6, 2018 at the Mtn. Empire Airport, stating the RAM Clinic is a mobile clinic that will be set up for residents to receive medical services free of charge. Ms. Edminston explained the services offered and the benefits of the clinic to the public. Ms. Edminston thanked the Board of Supervisors for their continued support of the clinic.




4/10/2018 5:22 PM With no one else wishing to speak, Chairman Park District Supervisor M. Todd Dishner closed citizens time.



4/10/2018 5:22 PM Jeff Campbell, County Attorney updated the Board regarding the Conflict of Interest request which had been made at the last Board Meeting, concerning Royal Oak District Supervisor Judy Wyant's position on the Board of Supervisors, while also serving as an employee of the Smyth County Public Library. Mr. Campbell stated each Board member had received a copy of the Letter of Opinion from Smyth County Commonwealth's Attorney Roy Evans which stated that Ms. Wyant had

received an opinion from the Ethics Council and should be governed by that or may risk prosecution for a violation of the Act.

 4/10/2018 5:26 PM Dr. Gene Couch, President, Virginia Highlands Community College and Cindy Fields, Director of the Virginia Highlands Small Business Development Center, spoke concerning the programs that are offered by the Center. Ms. Fields stated the center is one of the most effective providers of customized counseling and education for small businesses in the Commonwealth, offering services to help aspiring business owners start their own business, or help those experienced to grow their business.

 4/10/2018 5:33 PM Michael Carter, County Administrator presented the following recommendation from the Planning Commission:

Commissioner David Spence made a motion to recommend approval of Debusk Farms, LLC's request for a Special Use Permit for a Recreational Vehicle Park on Buckeye Hollow Road, Saltville (Tax Map #41-A-109B) with the stipulations that only Appalachian Power employees and their sub-contractors can use the park and the permit will expire in six years. Commissioner Paul Shepherd seconded the motion.

After consideration, the motion passed by the following vote:

AYES: Sparks, Spence, Wagoner, Shepherd, Pugh, Davidson Jr., and Dean.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe D. Call made a motion to accept the recommendation as presented from the Planning Commission. North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 4/10/2018 5:40 PM Michael Carter, County Administrator brought forward the following recommendations from the Budget Committee:

It is the Committee's recommendation to approve the budget transfer as shown below for the Maintenance Department in the amount of \$3,742.00.

EXPENSE

From	To	Amount
001-043020-5101(Courthouse Electricity)	001-043040-5407(County Bldg.Repair)	\$3,742.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It is the Committee's recommendation to approve a payment to Auto World of Big Stone Gap in the amount of \$22,145.00 for the replacement of a Sheriff Department vehicle.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It is the Committee's recommendation to approve the purchase and installation of a Hot- Standby Indoor Replacement Single Link Microwave Unit at a cost of \$99,844.80. To ensure proper payment in FY17-18, invoices need to be received by June 5, 2018.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. The Committee met on March 20, 2018 and discussed bids that were received for the purchase of a 2018 extended cab pickup truck for use by the Animal Control Department. After discussion, it is the Committee's recommendation to award the bid to Empire Ford in Abingdon in the amount of \$23,625.00.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown below for the Maintenance Department in the amount of \$2,600.00.

EXPENSE

From	To	Amount
001-043040-5408(Vehicle Repair)	001-043040-5405 (Jant.Supplies)	\$1,000.00
001-043020-5101(Electrical)	001-043020-3004(Repair and Maint.)	\$800.00
001-043020-5101(Electrical)	001-043020-5101-1(Parking Garg.)	\$400.00
001-043030-5103(Water&Sewer)	001-043030-5407(Repairs&Maint.)	\$400.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the leases on the Emergency Communication Towers that are located on Walker Mountain and Sugar Grove Mountain that Smyth County currently has with Appalachian Power. The lease amount for the tower on Walker Mountain will

be paid annually, over the next ten (10) years in the amount of \$1,725.00 per year. The lease amount for the tower on Sugar Grove Mountain will also be paid annually, over the next ten (10) years in the amount of \$7,590.00 per year. The new leases will begin on October 1, 2018 and run through September 30, 2018.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. The Committee met on April 3, 2018 and reviewed bids received for Attorney Services. After discussion, it is the Committee's recommendation to interview both firms that submitted proposals, and to enter into competitive negotiations during the interview process.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Michael Carter, County Administrator brought forward the following recommendation from the Budget Committee. It is the Committee's recommendation to approve the budget transfer as shown below for the Sheriff Department in the amount of \$5,117.00.

EXPENSE

From	To	Amount
001-021070-1001(Salaries)	001-021070-5408(Vehicle Repair)	\$5,117.00

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,

North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



4/10/2018 5:54 PM Heather Lewis and Helen Holman, representatives for the Smyth County Department of Social Services presented a resolution as shown below, asking the Board to declare April as Child Abuse prevention month. Michael Carter, County Administrator read the Resolution for the record.

RESOLUTION

TO PROCLAIM THE MONTH OF APRIL AS

CHILD ABUSE PREVENTION MONTH

WHEREAS, The Smyth County Board of Supervisors recognizes that nearly 7,000 children in Virginia were determined to be abused and neglected in 2017; and

WHEREAS child abuse and neglect has been demonstrated to impact a victim's physical, mental and emotional health in ways that can have lifelong consequences; and

WHEREAS Effective child abuse prevention programs succeed because of partnerships among citizens, agencies, schools, religious organizations, law enforcement agencies, and the business community; and

WHEREAS Child abuse prevention is a community responsibility and finding solutions depends on involvement among all residents of Smyth County.

NOW, THEREFORE, BE IT RESOLVED that The Smyth County Board of Supervisors proclaims April as Child Abuse Prevention Month in Smyth County and urges all citizens to work together to reduce child abuse and neglect and insure the health and safety of its youngest citizens.

Adopted this the 10th day of April 2018.

ATTEST:

Michael L. Carter, Smyth County Administrator

North Fork District Supervisor Phil Stevenson made a motion to adopt the resolution as presented.
Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.


ABSTAINERS: None.

ABSENT: None.

 4/10/2018 5:59 PM Jeff Campbell, County Attorney introduced representatives of Wagstaff & Cartmell Law Firm. Mr. Campbell stated that he, along with other Attorneys, have been working with the firm concerning the opioid epidemic and the financial burden that several localities are experiencing due to this concern. The law firm of Wagstaff and Cartmell is requesting the Smyth Board of Supervisors, in addition to several adjoining Counties to consider retaining their firm in order to join in the multi-district litigation bringing action against manufacturers and distributors of prescription opiates.

 4/10/2018 6:50 PM Chairman, Park District Supervisor M. Todd Dishner called for a five-minute recess.

 4/10/2018 7:05 PM Chairman, Park District Supervisor M. Todd Dishner called the meeting back to order from recess.

 4/10/2018 7:05 PM Eddie Bosley with the Atkins Volunteer Fire Department presented a Resolution to the Board of Supervisors for consideration, which would allow for financing that is needed to purchase a new fire truck for the Department become tax exempt. Mr. Bosley informed the Board of Supervisors the Atkins Volunteer Fire Department held a Public Hearing on April 9, 2018 and had no one to speak for or against the financing or purchase. As part of the process, a representative of the Fire Department was required to present the activity of the Public Hearing to the Board. Mr. Bosley is requesting the Board of Supervisors approval of the financing and adoption of the Resolution as shown below.

Michael Carter, County Administrator read the Resolution for the record.

Resolution Approving the Financing by the Atkins Volunteer Fire Department

Of up to \$186,500.00 for a new fire truck

WHEREAS, Atkins Volunteer Fire Department has determined to finance an amount of up to \$186,500.00 for the purchase of new fire truck;

WHEREAS, the United States Internal Revenue Code requires that for such financing to be carried out on a tax-exempt basis, the Board must first approve the financing;

WHEREAS, the Atkins Volunteer Fire Department has held a public hearing on the financing after published notice, as required by the Code;

WHEREAS, the Atkins Volunteer Fire Department has reported the proceedings of the hearing to this Board;

NOW, BE IT THEREFORE RESOLVED, the Smyth County Board of Supervisors approve the Atkins Volunteer Fire Departments entering into the financing, as required by the Code for the financing to be carried out on a tax-exempt basis. The Volunteer Fire Department's conduct of the required public hearing is approved.

I hereby certify the foregoing Resolution was duly adopted at a meeting of the Smyth County Board of Supervisors held on _____, 2018, and that a quorum was present and acting throughout such meeting.

Dated this _____ day of _____, 2018.

Clerk, Smyth County Board of Supervisors

North Fork District Supervisor Phil Stevenson made a motion to adopt the Resolution as presented. Saltville District Supervisor Roscoe D. Call seconded the motion.


After consideration, the motion PASSED by the following vote:


AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 4/10/2018 7:12 PM Michael Carter, County Administrator reviewed the minutes of the Personnel Committee meeting that was held on Monday, April 2, 2018, noting there was no action or recommendations as a result of the meeting.

 4/10/2018 7:13 PM Scott Simpson, Assistant County Administrator brought forward the following recommendations from the Water/Sewer Committee. Mr. Simpson stated the Committee met on Monday, April 2, 2018 and discussed several items.

It is the Committee's recommendation to adopt the following Resolution as shown below regarding an interconnection of the Smyth County and Wythe County water systems to potentially serve the Atkins area. The resolution will allow staff to submit a joint funding application to the Virginia Department of Health for a maximum Grant amount of \$35,000.00 for a preliminary engineering report. Scott Simpson, Assistant County Administrator read the Resolution for the record.

VDH PLANNING GRANT PROGRAM

RESOLUTION - 2018

WHEREAS, Smyth County and Wythe County has a specific need to work to establish an interconnection of their drinking water systems in order to provide water service to additional County residents, redundant water sources, and to allow for more stable long term financial planning of both Organizations;

WHEREAS, the Virginia Department of Health-Office of Drinking Water Planning Grant Funding Program fits the needs of these types of projects, and

WHEREAS, the Counties of Smyth and Wythe desire to compile a Preliminary Engineering Report which will outline the feasibility, benefits, and financial impacts and considerations of a regional interconnection;

THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors and the Wythe County Board of Supervisors hereby agree to jointly and regionally seek grant funding from the Office of Drinking Water for the Preliminary Engineering Report of this regional interconnection in the following amount:

Smyth-Wythe Interconnection Preliminary Engineering Report \$ 35,000

THEREFORE, BE IT FURTHER RESOLVED the Administrations of both localities shall immediately begin to process a funding application for this project and the County Administrators of the respective Counties be authorized to sign any and all documents to apply for and accept such funding contingent upon review and concurrence by the County Attorneys.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It is the Committee's recommendation to direct Staff to place an advertisement in the Smyth County News and Messenger asking for public input about private water sources that may be available.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

It is the Committee's recommendation to request the EDA of Smyth County for access and the ability to evaluate the existing well located on the property at Pathway Park as a potential public water source.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,

Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Simpson stated the Committee then discussed results of Water Testing related to private wells along Grubmore Road, Daywood Lane, Little Walker Way and Spring Valley Road. After discussion, it is the Committee's recommendation to allow staff to submit the grant applications needed for the combined projects on Daywood Lane and Grubmore Road. Scott Simpson, Assistant County Administrator read the resolution for the record, which will allow for Grand Funding Applications.

VDH PLANNING GRANT PROGRAM CONSTRUCTION ASSISTANCE PROGRAM RESOLUTION - 2018

WHEREAS, Smyth County has a specific need to work to establish County owned water sources in order to operate the primary source for our systems, as well as provide water service to additional County residents, establish redundant water sources, and to allow for more stable long term financial planning of the County;

WHEREAS, the Virginia Department of Health-Office of Drinking Water Planning Grant Funding Program fits the needs of these types of projects, with Planning Grants and Small Construction Project Grants; and

WHEREAS, the County of Smyth desires to compile Preliminary Engineering Reports which will outline the feasibility, benefits, and financial impacts and considerations of new and additional water sources on each end of the County; and extend public water service to approximately 12 homes which have contaminated private wells;

THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors hereby agree to seek grant funding from the Office of Drinking Water for the much-needed projects in the following amounts:

New Water Source Preliminary Engineering Report	- East End	\$ 35,000
New Water Source Preliminary Engineering Report	- West End	\$ 35,000

Small Projects Construction Grant – Daywood/Grubmore

\$ 150,000

THEREFORE, BE IT FURTHER RESOLVED the Administration of Smyth County shall immediately begin to process funding applications for these projects and the County Administrator is authorized to sign any and all documents to apply for and accept such funding contingent upon review and concurrence by the County Attorney.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



4/10/2018 7:24 PM Supervisor Comment Time:

Royal Oak District Supervisor Judy Wyant made a motion to appoint Justine Bradley, 389 Laurel Springs Road, Marion, Virginia, as the Royal Oak District Representative to the Department of Social Services Board, filling the remainder of the term for Blake Frazier. The term will end February 6, 2020. Atkins District Supervisor Charles Atkins seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chairman, Park District Supervisor M. Todd Dishner,
Vice Chair, Rye Valley District Supervisor Rick K. Blevins,
Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor R. Curtis Rhea and
Royal Oak District Supervisor Judy Wyant.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe D. Call thanked everyone for thoughts during recovery from a recent surgery.

Park District Supervisor M. Todd Dishner stated he will be out of town during the May Board of Supervisors Meeting.

Meeting adjourned.

Below is an explanation from T.W. Bruno with McGuire Woods, for the Resolution to be considered for Ballard Health:

Ballad Health is asking that the Board of Supervisors adopt this resolution that consents to a tax-exempt bond issue that refinances certain costs incurred at Smyth County Community Hospital. As a result of the merger between Mountain States Health Alliance and Wellmont Health System, Ballad Health now operates Smyth County Community Hospital. Ballad Health is undertaking a debt refinancing to reduce its overall debt costs. Some of the debt being refinanced relates to financing that was done for Smyth County Community Hospital. Because Smyth County Community Hospital is located in Smyth County, for Ballad Health to be able to issue tax-exempt bonds, Ballad Health needs to seek the approval of the Board of Supervisors. The resolution proposed by Ballad Health consents to the bond financing solely for purposes of and only to the extent required by the federal tax regulations. Without the approval, Ballad Health cannot issue tax-exempt bonds that will lower its overall debt costs. The resolution is not an endorsement of the bonds or Ballad Health, and the resolution in no way obligates Smyth County financially in any way.

T.W. Bruno

T: +1 804 775 1853 | M: +1 757 293 8794

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF SMYTH COUNTY, VIRGINIA**

WHEREAS, Ballard Health, a Tennessee nonprofit corporation (“Ballad”), which was created as a result of the affiliation of Mountain States Health Alliance, a Tennessee nonprofit corporation (“MSHA”), Wellmont Health System, a Tennessee nonprofit corporation (“Wellmont”), and certain affiliates of thereof, has requested The Health and Educational Facilities Board of the Town of Greeneville, Tennessee (the “Issuer”) to issue up to \$1,160,000,000 of its qualified 501(c)(3) tax-exempt revenue bonds (the “Bonds”), the proceeds of which, if issued, will be loaned to Ballad to finance and/or refinance the costs associated with the acquisition, constructing and equipping of certain facilities owned or operated by the Borrower, MSHA, Wellmont or an affiliate thereof;

WHEREAS, a portion of the proceeds of the Bonds, not expected to exceed \$350,000,000, will, if issued, be loaned to Ballad to finance and/or refinance the costs associated with the acquisition, constructing and equipping of facilities located at 245 Medical Park Drive, Marion, Virginia, and commonly known as Smyth County Hospital;

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), require that the governmental unit having jurisdiction over the area in which any facility financed with the proceeds of the Bonds is located approve the issuance of such Bonds;

WHEREAS, Section 147(f) of the Code requires that any such approval by the applicable governmental unit be given after a public hearing following reasonable public notice;

WHEREAS, on May 7, 2018, in accordance with the requirements of Section 147(f) of the Code, the Issuer or its designee held a public hearing following publication of notice of such public hearing in the Smyth County News & Messenger on April 21, 2018; and

WHEREAS, Ballad has requested that the Board of Supervisors of Smyth County, Virginia (the “Board”) approve the issuance of the Bonds to comply with Section 147(f) of the Code.

THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SMYTH COUNTY, VIRGINIA:

1. The Board hereby approves the issuance of the Bonds by the Issuer for the benefit of Ballad, as required by Section 147(f) of the Code.
2. The approval of the issuance of the Bonds does not constitute an endorsement of the Bonds or the creditworthiness of Ballad. Smyth County, Virginia, does not have any obligation to pay the Bonds or the interest thereon or other costs incident thereto.
3. All acts and doings of the officers and members of the Board that are in conformity with the purposes and intent of this resolution shall be, and the same hereby are, in all respects approved and confined.
4. This resolution shall take effect immediately upon its adoption.

Delegate Israel O'Quinn
Deputy Majority Whip
www.israeloquinn.com
Facebook: IsraelOQuinn
Twitter: @IsraelOQuinn
Instagram: @IsraelOQuinn5

Begin forwarded message:

From: delioquinn@house.virginia.gov
Date: February 22, 2018 at 3:12:19 PM EST
To: CityManager@bristolva.org, Keith Barker <kbarker@galaxva.com>, jberry@washcova.com, mcarter@smythcounty.org, wshepley@graysoncountyva.gov
Subject: Opportunity Zones

Opportunity Zone Designation Input Due from Localities by March 2

The Federal Tax Cuts and Jobs Act of 2017 included provisions for a new revitalization tool, the Opportunity Zone and Opportunity Fund. Broadly speaking, the Zones and Funds will allow investors to receive tax benefits on currently unrealized capital gains by investing those gains in qualified census tracts (Opportunity Zones). While the federal government is responsible for defining the investment process, **the Governor of each state has until March 21, 2018, to nominate 25 percent of qualified census tracts as "Opportunity Zones."** According to criteria used in the tax code, the CDFI fund has produced information regarding eligible tracts for the Commonwealth of Virginia. **There are currently 840 eligible census tracts in Virginia. 210 of those census tracts can be nominated by the Governor to be Opportunity Zones.** Congress issued non-binding guidance on criteria for consideration of Opportunity Zones. Guidance suggests that consideration should be given to census tracts that mutually reinforce state, local, or private economic development initiatives to attract investment and foster startup activity, have demonstrated success in geographically targeted development programs in the past and have recently experienced significant layoffs due to business closures or relocations.

On Friday, February 16th local government officials (County Administrators, City Managers, Town Managers) received a link and information to complete a survey where they will identify priority eligible census tracts and why those tracts are a priority for the locality. A PDF of the survey can be found [here](#).

Due to the tight federally mandated timeline feedback must be provided by Friday, March 2, 2018. For additional information please see the <http://bit.ly/VAOppportunity>. Questions or assistance in resending the survey should be submitted to OZ@dhcd.virginia.gov.

Delegate Israel O'Quinn
Deputy Majority Whip
www.israeloquinn.com

From: Template List on behalf of Northam Press, Governor
Sent: Thursday, April 19, 2018 1:24 PM
To: GOVERNORSUPDATE@LISTSERV.COV.VIRGINIA.GOV
Subject: Governor Northam announces nomination of 212 Opportunity Zones



Commonwealth of Virginia
Office of Governor Ralph S. Northam

FOR IMMEDIATE RELEASE

Date: April 19, 2018

Office of the Governor

Contact: Ofirah Yheskel

Email: Ofirah.Yheskel@governor.virginia.gov

Virginia Department of Housing and Community Development

Contact: Amanda Love

Phone: (804) 371-7006

Email: Amanda.Love@dhcd.virginia.gov

**Governor Northam announces nomination of 212
Opportunity Zones**

~ Commonwealth maximizes new federal tax incentive program, ensures local and regional priorities are represented ~

RICHMOND – Governor Northam today announced the nomination of 212 Opportunity Zones to the U.S. Department of Treasury. This represents the maximum number of zones the Governor may nominate under the new federal tax tool that targets low-income census tracts.

“Opportunity zones are an important federal tool to spur vitality in economic growth in communities across Virginia and we are committed to using them fully in this administration,” **said Governor Northam**. “By focusing on local and regional strategies, as well as Virginia’s diverse geography and economic opportunities,

we selected a balance of zones that align with other state and local economic development and revitalization efforts. This ensures that Virginia is at the forefront of attracting new Opportunity fund investments.”

The Federal Tax Cuts and Jobs Act of 2017 that passed last December included provisions for a new revitalization tool, the Opportunity Zone and Opportunity Fund. The zones and funds will allow investors to receive tax benefits on currently unrealized capital gains by investing those gains in qualified census tracts or “Opportunity Zones.” While the federal government is responsible for defining the investment process, the Governor of each state was given until April 20, 2018 to nominate qualified census tracts as Opportunity Zones, and Virginia was allowed to submit 212 nominations out of the 901 eligible low-income census tracts.

The Virginia Department of Housing and Community Development (DHCD) coordinated the nomination input process with the Virginia Economic Development Partnership (VEDP). These lead agencies based the Governor’s nominations on the best available criteria and input to ensure fairness across the state and among rural, urban, and suburban localities. They received input from localities throughout the Commonwealth in order to recognize the needs and opportunities at the level of government closest to investors and residents. In addition, statewide strategic criteria ensured there was balance between evaluating those census tracts in most need and those with the most likelihood of future investment.

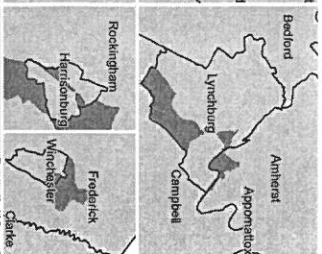
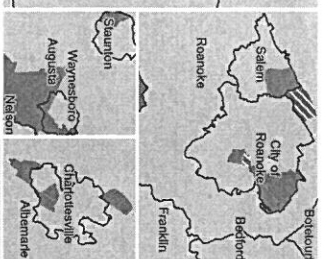
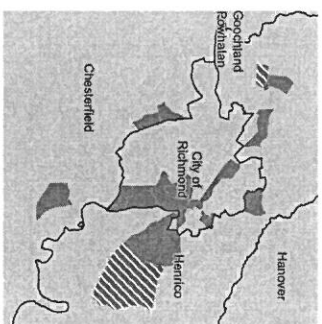
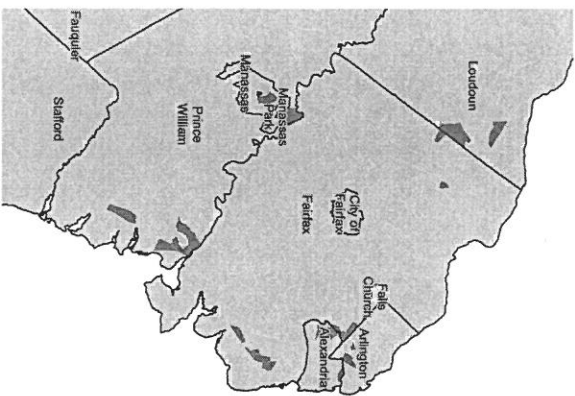
“We received information from localities, potential investors and the general public throughout the Opportunity Zone nomination process, and we focused on maintaining proportionality based on regional economic development organization levels,” **said Secretary of Commerce and Trade Brian Ball.** “These nominations focus on local, regional and state priorities and ensure a strategic mix of zones with different types of revitalization needs and development opportunities for potential investors.”

The U.S. Treasury Department has 30 days to respond to the Governor’s nominations and is expected to accept and approve them as nominated, establishing Virginia’s Opportunity Zones by late spring of this year. However, the rules associated with qualification of Opportunity Investment Funds and Qualified Opportunity Investments must also be written at the federal level and are not anticipated to be formalized until later this calendar year. Virginia’s Opportunity Zones are already areas of significant effort and focus at the state and local level and these zone nominations are intended to attract additional private investments.

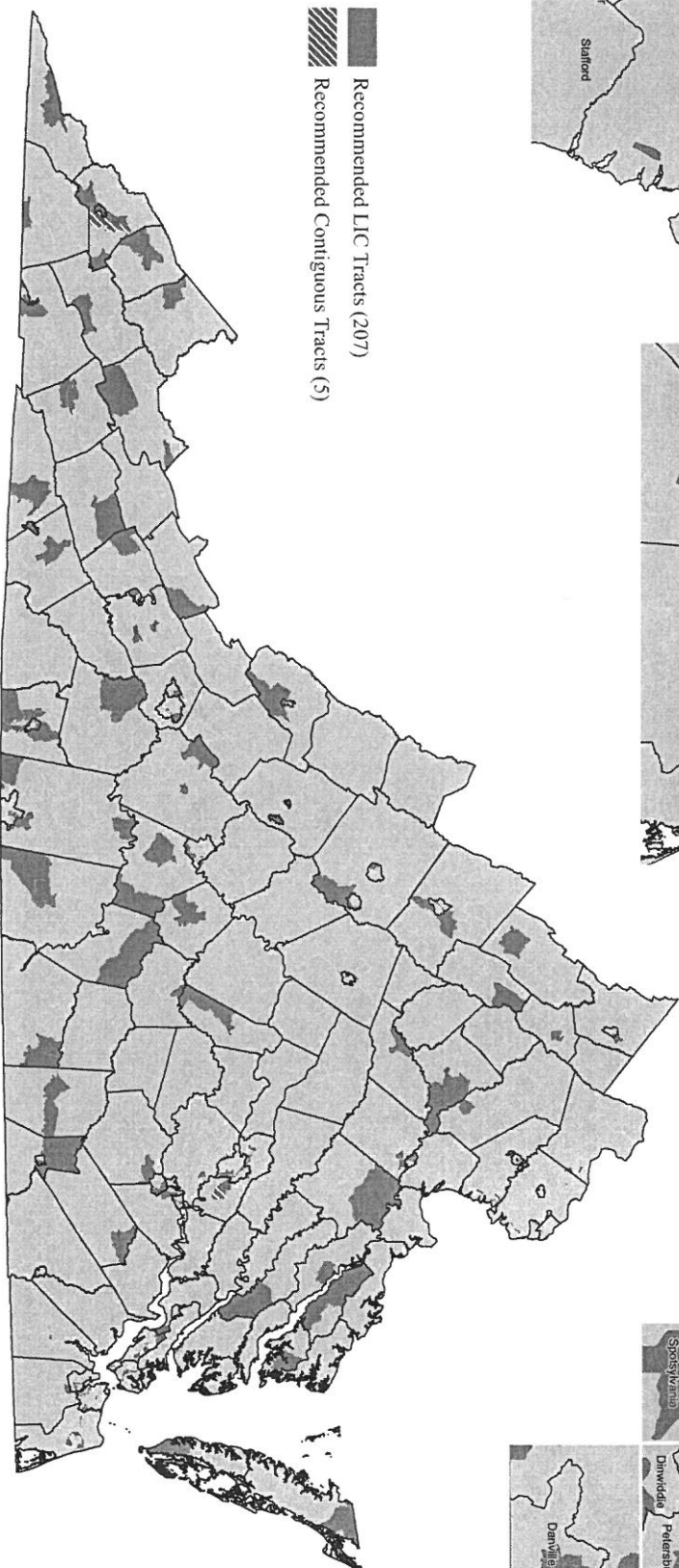
[Click here](#) for a link to the Virginia Opportunity Zone website and [click here](#) for a map of Virginia’s nominated zones.

###





Recommended LIC Tracts (2017)
Recommended Contiguous Tracts (5)



Virginia Opportunity Zone Nominations

Law Offices

WAGSTAFF & CARTMELL LLP

4740 Grand Avenue – Suite 300
Kansas City, Missouri 64112

(816) 701-1100

FAX (816) 531-2372

ADMITTED IN MISSOURI AND KANSAS

Δ ADMITTED IN MISSOURI

*ADMITTED IN KANSAS

***ADMITTED IN MISSOURI, KANSAS AND COLORADO

****ADMITTED IN MISSOURI, KANSAS AND THE DISTRICT OF COLUMBIA

#ADMITTED IN MISSOURI, KANSAS AND ILLINOIS

##ADMITTED IN MISSOURI, KANSAS AND UTAH

**ADMITTED IN MISSOURI, KANSAS AND WISCONSIN

†OF COUNSEL

THOMAS W. WAGSTAFF
THOMAS P. CARTMELL
MARC K. ERICKSON
JONATHAN P. KIEFFER
ERIC D. BARTON##
BRIAN J. MADDEN
JEFFREY M. KUNTZ
THOMAS A. ROTTINGHAUS
THOMAS J. PREUSS
TYLER W. HUDSON****
BRANDON D. HENRY
DIANE K. WATKINS***
SARAH B. RUANE
CHRISTOPHER L. SCHNIEDERS#
JOHN P. O'CONNOR Δ
P.J. O'CONNOR Δ
DAVID C. DeGREEFF
SANDY J. SMITH

DARYL J. DOUGLASΔ
VANESSA H. GROSS
ADAM S. DAVIS
DIANA L. BECKMAN
MELODY R. DICKSON
JACK T. HYDE
NATHANIEL M. JONES Δ
JOAN D. TOOMEY
ANDREW N. FAES Δ
MALLORY A. VANDYKE
SAMUEL P. BENNETT**
ROBERT G. GROVES
ZACHARY D. POOLE
LUKE F. CALLAHAN Δ

SCOTT M. CROCKETT†
PHILLIP P. ASHLEY**

April 10, 2018

VIA ELECTRONIC MAIL

_____ County, Virginia

RE: *Representation in Opioid Litigation*

We appreciate the opportunity to represent the interests of _____ County, Virginia in the above-referenced litigation. The purpose of this letter is to confirm the terms and conditions of our representation.

WHEREAS, _____ County, Virginia wishes to determine the feasibility of _____ County, Virginia ("COUNTY") bringing an action against manufacturers and distributors of prescription opiates for damages to COUNTY arising out of marketing, monitoring, and distribution of opiates in and to COUNTY; and COUNTY understands based upon the pendency of similar litigation pending in the United States that COUNTY may have various viable causes of action at law against such manufacturers and distributors; and

WHEREAS, COUNTY has decided that it wishes to engage Wagstaff and Cartmell, LLP, a law firm located in Kansas City, Missouri, Dumas Law Firm, LLC, 250 Congress St., Mobile, Alabama 36603, Kimberly C. Haugh P.C. 324 Cummings Street, Abingdon, Va. 24210, Campbell Law Firm, 117 North Park St, Marion, Va. 24354 and Chafin Law Firm, 44 Main Street, Lebanon, Va. 24266 ("COUNSEL"), to investigate the viability of and potential prosecution of an action against such manufacturers and distributors;

NOW THEREFORE, in consideration of the covenants, promises, and consent herein contained, the parties agree as follows:

1. SCOPE OF REPRESENTATION

COUNSEL, for the consideration herein provided, agrees to represent COUNTY in connection with investigation and potential prosecution of a civil action against manufacturers and distributors of prescription opiates. At a minimum, COUNSEL shall provide the following services: Work with COUNTY personnel to determine the costs that COUNTY has incurred as a result of opioid marketing, monitoring, and over-prescription; determine the viable causes of action available to COUNTY; and determine which manufacturers and distributors, if any, should be targeted in a lawsuit. After such identification, and only as authorized by COUNTY, COUNSEL will, on behalf of COUNTY, bring a civil lawsuit against those parties identified by COUNSEL and agreed to by COUNTY. If additional claims are desired to be raised, a separate agreement will need to be executed between COUNTY and COUNSEL or these claims will need to be handled by another law firm.

2. TERMINATION OF REPRESENTATION

This Agreement shall cover the period from March 2018 until the termination of the litigation or termination of the legal services rendered hereunder, whichever is sooner. This Agreement may be terminated by COUNTY upon at least 10-days' notice, and in the event of such termination, neither party shall have any further rights against the other, except that in the event of a recovery by COUNTY against the defendant manufacturers and distributors subsequent to termination, COUNSEL shall have rights in the nature of *quantum meruit* to recover fees, costs and expenses reasonably allocable to its work prior to termination. In the event of termination of this Agreement for any reason, COUNSEL shall immediately return to COUNTY all materials and documents of every kind and nature, including but not limited to COUNTY documents and computer disks, relating to this Agreement and the above-mentioned matter. COUNSEL may withdraw as COUNTY's attorneys at any time if they determine, in their sole discretion, that COUNTY's claim lacks merit or that it is not worthwhile to pursue COUNTY's claim further.

3. ATTORNEYS' FEES AND COSTS AND EXPENSES OF LITIGATION

a. There is no fee for this representation unless a monetary recovery is obtained by COUNSEL in favor of COUNTY, whether by suit, settlement, or otherwise. COUNSEL agrees to advance all costs associated with prosecuting the litigation. Subject to paragraph 3 (b), below, and in consideration of the legal services to be rendered by COUNSEL, COUNTY agrees that the contingent attorneys' fees for this representation shall be a 33 and 1/3% contingent fee.

Upon the application of the applicable fee percentage to the gross amount recovered, and that dollar amount set aside as attorneys' fees to COUNSEL, the amount remaining shall first be reduced by the costs and disbursements that have been advanced by COUNSEL, and that amount shall be remitted to COUNSEL. The costs and disbursements which may be deducted from a monetary recovery acceptable to COUNTY that is obtained by COUNSEL include the following, without limitation: court fees, process server fees, transcripts fees, expert witness fees, courier service fees, appellate printing fees, necessary travel and related expenses of attorneys to attend depositions, interview witnesses and the like, and other appropriate out-of-pocket expenses. In the event that any settlement, final judgment, or other resolution of the action results in a monetary

recovery to COUNTY that is less than the amount of the costs incurred and/or disbursements made by COUNSEL, COUNTY shall not be required to pay COUNSEL any more than the sum of the full monetary recovery.

b. No monies shall be paid to COUNSEL for any work performed, costs incurred or disbursements made by COUNSEL in the event no monetary recovery to COUNTY has been obtained by COUNSEL. In the event of a loss at trial due to an adverse jury verdict or a dismissal of the lawsuit by the court, no monies shall be paid to the COUNSEL for any work performed, costs incurred or disbursements made by the COUNSEL. In such an event, neither party shall have any further rights against the other.

4. DISBURSEMENT OF PROCEEDS TO CLIENT

The proceeds of any settlement, judgment or recovery on COUNTY's behalf under the terms of this Agreement shall be disbursed to COUNTY as soon as reasonably practicable after receipt by COUNSEL. At the time of disbursement of any proceeds recovered on COUNTY's behalf under the terms of this Agreement, COUNTY will be provided with a detailed disbursement sheet reflecting the method by which attorney's fees have been calculated and the expenses of litigation which are due to COUNSEL from such proceeds. COUNSEL is authorized to retain out of any moneys that may come into their hands by reason of its representation of COUNTY the fees, costs, expenses and disbursements to which they are entitled as determined in this Agreement.

5. SETTLEMENT

COUNTY has the authority to accept or reject any final settlement amount after receiving the advice of COUNSEL. COUNTY understands settlements are a "compromise" of its claim, and that COUNSEL's fee, as outlined in Section 3 above, applies to settlements also. For example, if a settlement is reached, and includes future or structured payments, COUNSEL's fee shall include its contingent portion of those future or structured payments as outlined in Section 3 above.

6. NO GUARANTEE OF RECOVERY

COUNTY understands and acknowledges that dispute resolution through litigation often takes years to achieve. COUNTY understands and acknowledges that there is no guarantee or assurances of any kind regarding the likelihood of success of COUNTY's claim, but that COUNSEL attorneys will use their skill, diligence, and experience to diligently pursue its action.

7. INDEPENDENT CONTRACTOR

It is expressly agreed that COUNSEL's status hereunder is that of an independent contractor and the COUNSEL shall not be considered an employee of COUNTY for any purpose.

8. DUTIES AND RESPONSIBILITIES OF PARTIES

All professional work performed under this Agreement shall be performed by COUNSEL in accordance with existing professional standards. COUNSEL shall exert its best efforts and use its best judgment in review and analysis and preparation of opinions and memoranda and representation in such proceedings. COUNTY will cooperate with attorneys and their

representatives at all times and comply with all reasonable requests of attorneys in the prosecution of this matter on a timely basis. COUNTY agrees to be truthful at all times with attorneys, to provide whatever information is necessary (in the attorney's estimation) in a timely and competent manner; to provide immediate information as to any change in COUNTY's status which may have any impact on the prosecution of this claim.

9. POTENTIAL CONFLICT

Without the prior written approval of COUNTY Attorney, COUNSEL shall not simultaneously represent other private clients in actions or proceedings against COUNTY, its agencies or COUNTY employees in their official capacity. The representation of any individual in a dispute concerning the legal relationship between the individual and COUNTY or its agencies would also create a conflict which could require disqualification. COUNSEL shall disclose to COUNTY the existence of any such adverse interests whether existing or potential. This duty shall continue so long as COUNSEL is retained on behalf of COUNTY or its employees. The determination as to when a conflict exists shall ultimately be made by COUNTY Attorney after full disclosure is obtained.

10. APPROVAL TO BIND COUNTY

COUNSEL shall not have the power to enter into any agreement binding COUNTY or otherwise obligating COUNTY without the prior written approval of COUNTY.

11. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of Virginia, without regard to conflicts of law rules. Venue shall be designated in the United States District Court for the Western District of Virginia.

12. ENTIRE AGREEMENT

It is expressly agreed that this Agreement represents the entire agreement of the parties, that all previous understandings are merged in this Agreement, and that no modification of this Agreement shall be valid unless written and executed by both parties.

13. SEVERANCE CLAUSE

It is expressly agreed that if any term or provision of this Agreement, or the application thereof to any person or circumstance, shall be held invalid or unenforceable to any extent, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby; and every other term and provision of this Agreement shall be valid and shall be enforced to the fullest extent permitted by law.

14. ACKNOWLEDGEMENTS AND AUTHORITY TO EXECUTE

The parties acknowledge that they have carefully read and fully understand all of the provisions of this agreement, and that they have the capacity to enter into this agreement. Each party and the person signing on behalf of each party represents that the person signing this agreement has the authority to execute this document and thereby bind the party hereto on whose

behalf the person is signing. Specifically, the COUNTY acknowledges that it is bound by this agreement and will execute all the necessary documents (i.e., passing an ordinance or resolution) that may be required by its governing statutes and/or code.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the latest date written below.

WAGSTAFF & CARTMELL, LLP

By: Thomas P. Cartmell
Partner

DUMAS LAW FIRM

By: Joey Dumas

KIMBERLY C. HAUGH, P.C.

By: Kimberly C. Haugh

CAMPBELL LAW FIRM

By: Jeffrey Campbell

CHAFIN LAW FIRM

By: Augustus Benton "Ben" Chafin, Jr.

COUNTY OF _____, VIRGINIA

By: _____

Name: _____

Title: _____

STATE OF _____,
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me by Thomas P. Cartmell, for and on behalf of Wagstaff & Cartmell, LLP, this the ____ day of _____, 2018.

Notary Public

My commission expires: _____

My registration number: _____

STATE OF _____,
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me by Joey Dumas, for and on behalf of Dumas Law Firm, this the ____ day of _____, 2018.

Notary Public

My commission expires: _____

My registration number: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me by Kimberly C. Haugh, for and on behalf of Kimberly C. Haugh, P.C., this the ____ day of _____, 2018.

Notary Public

My commission expires: _____

My registration number: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me by Jeffrey Campbell, for and on behalf of Campbell Law Firm, this the ____ day of _____, 2018.

Notary Public

My commission expires: _____

My registration number: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me by August Benton "Ben" Chafin, Jr., for and on behalf of Chafin Law Firm, this the ____ day of _____, 2018.

Notary Public

My commission expires: _____

My registration number: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me by _____,
_____, for and on behalf of the County of _____, this the ____
day of _____, 2018.

Notary Public

My commission expires: _____

My registration number: _____

A meeting of the Smyth County Budget Committee was held at the County Office Building on Thursday, April 5, 2018 at 3:30 p.m.

Committee Members Present:

Chairman, Park District Supervisor M. Todd Dishner
Rye Valley District Supervisor Rick K. Blevins
Chilhowie District Supervisor R. Curtis Rhea

Staff Members Present:

Michael Carter, County Administrator
Kelly Woods, Administrative Assistant
Scott Simpson, Assistant County Administrator

Chairman, Park District Supervisor M. Todd Dishner called the meeting to order at 3:35 P.M.

Kelly Woods, Administrative Assistant presented a budget transfer request from Circuit Court in the amount of \$152.00 as shown below.

TRANSFER:

EXPENSE

From	TO	Amount
001-021010-5201 (Postal Services)	001-012 021010-5411(Books&Subs.)	\$152.00

Rye Valley District Supervisor Rick K. Blevins made a motion to approve the budget transfer as presented.
Chilhowie District Supervisor R. Curtis Rhea seconded the motion and all agreed unanimously.

The following Budgets were presented and discussed.

*Smyth Wythe Airport Commission-Curtis Pennington

At 5:01 p.m. Chairman Park District Supervisor M. Todd Dishner adjourned the meeting. Next meeting will be held on April 12, 2018 at 3:30 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Thursday, April 12, 2018 at 3:30 p.m.

Committee Members Present:

Chairman, Park District Supervisor M. Todd Dishner
Rye Valley District Supervisor Rick K. Blevins

Staff Members Present:

Michael Carter, County Administrator
Kelly Woods, Administrative Assistant
Scott Simpson, Assistant County Administrator

Others Present:

Mr. Talley

Chairman, Park District Supervisor M. Todd Dishner called the meeting to order at 3:34 P.M.

Michael Carter, County Administrator updated the Committee concerning the progress that had been made with the FY18-19 budget and the deficit the County is currently showing. Discussion continued on ways to achieve a balanced budget.

At 4:51 p.m. Chairman Park District Supervisor M. Todd Dishner adjourned the meeting. Next meeting will be held on April 17, 2018 at 3:30 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Tuesday, April 17, 2018 at 3:30 p.m.

Committee Members Present:

Chairman, Park District Supervisor M. Todd Dishner

Rye Valley District Supervisor Rick K. Blevins

Chilhowie District Supervisor R. Curtis Rhea (Left Meeting at 4:00 P.M.)

Staff Members Present:

Michael Carter, County Administrator

Kelly Woods, Administrative Assistant

Scott Simpson, Assistant County Administrator

Chairman, Park District Supervisor M. Todd Dishner called the meeting to order at 3:3 P.M.

Michael Carter, County Administrator updated the Committee concerning the progress that had been made with the FY18-19 budget and reviewed expenditure numbers from the Board of Supervisors through the Solid Waste Department. The Committee will continue to discuss both revenue and expenditures in the upcoming meetings.

At 5:01 p.m. Chairman Park District Supervisor M. Todd Dishner adjourned the meeting. Next meeting will be held on April 19, 2018 at 3:30 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Thursday, April 19, 2018 at 3:30 p.m.

Committee Members Present:

Chairman, Park District Supervisor M. Todd Dishner
Rye Valley District Supervisor Rick K. Blevins

Staff Members Present:

Kelly Woods, Administrative Assistant
Scott Simpson, Assistant County Administrator

Others Present:

Jim Talley

Chairman, Park District Supervisor M. Todd Dishner called the meeting to order at 3:37 P.M.

Kelly Woods, Administrative Assistant presented a tax refund request that had been submitted by the Commissioner of Revenue's office. The request is for Mr. Jerry Whitaker in the amount of \$1,215.82 plus interest. The Committee discussed and requested for Ms. Woods to obtain more information from the Commissioner's Office concerning the refund and report back at the next scheduled meeting on Tuesday, April 24, 2018.

Scott Simpson, Assistant County Administrator then presented a budget amendment request for the Regional Jail as shown below, stating the below amendment is necessary to reconcile the Operations and Inmate Count for the Regional Jail.

Expense (Increase line item)

001-033010-7001	Regional Jail Operations	\$60,000
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Revenue (Increase line item)

001-011050-0001	Merchants Capital	\$20,000
001-013030-0008	Building Permits	\$26,000
001-015010-0002	Interest on Investments	\$14,000

Expense (Increase Line item)

001-033010-7003	Regional Jail Reconciliation	\$65,300
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Revenue (Increase Line item)

001-011030-0001	Personal Property	\$11,100
001-011040-0001	Machinery and Tools	\$52,200
001-015010-0002	Interest on Investments	\$2,000

After discussion, Rye Valley District Supervisor Rick K. Blevins made a motion to recommend approving the budget amendment as presented. All agreed unanimously.

At 4:21 p.m. Chairman Park District Supervisor M. Todd Dishner adjourned the meeting. Next meeting will be held on April 24, 2018 at 3:30 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Tuesday, April 24, 2018 at 3:30 p.m.

Committee Members Present:

Chairman, Park District Supervisor M. Todd Dishner
Rye Valley District Supervisor Rick K. Blevins
Chilhowie District Supervisor R. Curtis Rhea

Staff Members Present:

Michael Carter, County Administrator
Kelly Woods, Administrative Assistant
Scott Simpson, Assistant County Administrator

Chairman, Park District Supervisor M. Todd Dishner called the meeting to order at 3:38 P.M.

Michael Carter, County Administrator updated the Committee concerning the progress that had been made with the FY18-19 budget and reviewed expenditure numbers from the Rye Valley Water Authority through the end of the expenditure budget line items. The Committee will continue to discuss both revenue and expenditures in the upcoming meetings.

At 5:16 p.m. Chairman Park District Supervisor M. Todd Dishner adjourned the meeting. Next meeting will be held on April 26, 2018 at 3:30 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Thursday, April 26, 2018 at 3:30 p.m.

Committee Members Present:

Chairman, Park District Supervisor M. Todd Dishner
Rye Valley District Supervisor Rick K. Blevins
Chilhowie District Supervisor R. Curtis Rhea

Staff Members Present:

Michael Carter, County Administrator
Kelly Woods, Administrative Assistant
Scott Simpson, Assistant County Administrator

Chairman, Park District Supervisor M. Todd Dishner called the meeting to order at 3:38 P.M.

Kelly Woods, Administrative Assistant presented a tax refund request in the amount of \$1,215.82 plus interest. The request is for Tax Map #28A12-7-43, owned by Jerry Whitaker III. Mr. Whitaker qualifies for a tax relief program offered by Smyth County. After discussion, Rye Valley District Supervisor Rick K. Blevins made a motion to recommend approving the tax refund request as presented. Chilhowie District Supervisor R. Curtis Rhea seconded the motion and all agreed unanimously.

Michael Carter, County Administrator presented a budget transfer request as shown below for the Smyth County School Board in the amount of \$191,284.00. The State of Virginia allocated these funds to the School Board due to enrollment loss in FY17.

TRANSFER:

REVENUE

From	TO	Amount
009-021010-0006 (Basic Aid)	009-022000-0001(Local Funds Transfer)	\$191,284.00

After discussion, Rye Valley District Supervisor Rick K. Blevins made a motion to recommend approving the budget transfer request for the Smyth County School Board as presented. Chilhowie District Supervisor R. Curtis Rhea seconded the motion. All agreed unanimously.

A motion was made by Rye Valley District Supervisor Rick K. Blevins to enter into closed session under Code of Virginia, Section 2.2-3711 –**A.29 Contracts**; Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

It was moved by Rye Valley District Supervisor Rick K. Blevins, seconded by Chilhowie District Supervisor R. Curtis Rhea, to adopt the following resolution certifying the business conducted in closed session as follows. All agreed unanimously.

RESOLUTION

CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such a meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Smyth County Board of Supervisors.

Scott Simpson, Assistant County Administrator brought forward the following budget transfer requests from the Solid Waste Department.

Transfer Station

From:

- \$ 3,900.00 001-042030-3021 Escrow for equipment
- \$ 3,000.00 001-042030-8888-13 Scales - Service and Repairs
- \$ 720.00 001-001-042030-1001 Salaries and Wages

To:

- \$ 7,620.00 001-042030-8888-51 Groundwater Monitoring and Wells

From:

- \$ 7,500.00 001-042030-8888-27 Transfer Station Haul and Disposal

To:

- \$ 7,500.00 001-042030-5408 Vehicle Maintenance and Repairs

From:

- \$ 8,300.00 001-042030-1001 Salaries and Wages

To:

- \$ 8,300.00 001-042030-5406 Fuel

Rye Valley District Supervisor Rick K. Blevins made a motion to approve the budget transfer as shown above for the Transfer Station. Chilhowie District Supervisor R. Curtis Rhea seconded the motion and all agreed unanimously.

Convenience Stations

From:

- \$ 1,250.00 001-042050-3004 Repair and Maintenance

To:

- \$ 1,250.00 001-042050-5101 Electricity

From:

- \$ 450.00 001-042050-3004 Repair and Maintenance

To:

- \$ 450.00 001-042050-5406 Water & Sewer

From:

- \$ 1,350.00 001-042050-3004 Repair and Maintenance

To:

- \$ 1,350.00 001-042050-8002 Lease / Rent Sites

From:

- \$ 165.00 001-042050-3004 Repair and Maintenance

To:

- \$ 165.00 001-042050-3005 Service Contracts

Chilhowie District Supervisor R. Curtis Rhea made a motion to approve the transfer as shown above for the Convenience Stations. Rye Valley District Supervisor Rick K. Blevins seconded the motion. All agreed unanimously.

Chilhowie District Supervisor made a motion to recommend entering into an agreement with Campbell Law Firm for Attorney Services for Smyth County. The agreement will run for a period of one (1) year, with an option to renew for two (2) successive one-year terms. An initial retainer of \$5,000.00 will be assessed, with a monthly rate \$100.00 per hour, capped at \$100,000.00 annually. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

At 5:18 p.m. Chairman Park District Supervisor M. Todd Dishner adjourned the meeting. Next meeting will be held on May 1, 2018 at 3:30 p.m.

JEFFREY L. CAMPBELL
Jeff@Campbelllawfirmva.com

TRAVIS B. LEE
Travis@Campbelllawfirmva.com

JONATHAN E. P. ARNOLD
Jed@Campbelllawfirmva.com



CAMPBELL LAW FIRM

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WYTHE OFFICE:
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Fax: (276) 227-0248

April 27, 2018

Michael Carter, Administrator
Smyth County Board of Supervisors
121 Bagley Circle
Marion, VA 24354

Dear Mr. Carter:

Please be advised that following negotiation with you, in which you have made some very compelling points regarding the County's financial position and offered ideas to streamline the delivery of services by our firm in a more cost-efficient manner, I am pleased to be able to extend to you the offer of this firm's services to the County at a discounted hourly rate of \$100.00 per hour. As I informed the personnel committee, the fee we proposed in our initial proposal was far-below market rate for a firm with our level of expertise and available resources, and is substantially less than the County was paying more than a decade ago. As a life-long resident of this County, I appreciate your persistence in obtaining the best available price for the taxpayers in all matters in which you are involved. The citizens are fortunate to have you in your position.

I have included the proposed Legal Services Agreement reflecting the discounted rate and it contains a provision that will allow for two, successive, one-year renewals, at the election of both the Board of Supervisors and this firm. I have enjoyed the opportunity to represent the Board and look forward to continuing this relationship on a pathway moving forward.

Very truly yours,

Jeffrey L. Campbell

JLC/js
Encl: As noted.

LEGAL SERVICES AGREEMENT

This document (the "agreement") is the legal services agreement between the Smyth County Board of Supervisors and Campbell Law Firm, P.C., dated this ____ day of May, 2018.

1. IDENTIFICATION OF PARTIES. This agreement is made between the Campbell Law Firm, P.C., hereafter referred to as "Law Firm", and the Smyth County Board of Supervisors, hereafter referred to as "Client."

2. CONDITIONS. This agreement will not take effect, and Law Firm will have no obligation to provide legal services, until Client returns a signed copy of this agreement.

3. RESPONSIBILITIES OF LAW FIRM AND CLIENT. Law Firm will perform the legal services called for under this agreement, keep Client informed of progress and developments, and respond within a reasonable time to Client's inquiries and communications. Client will be truthful and cooperative with Law Firm, provide on a timely basis all information and documents necessary to Law Firm's effective representation of Client's interests, keep Law Firm reasonably informed of developments and of Client's address, telephone number, and whereabouts, timely make any payments required by this agreement and abide by this agreement. Client should keep in mind that Law Firm's ability to adequately represent and advise Client is dependent upon Client keeping Law Firm fully informed. It is, therefore, important that Law Firm be fully apprised of all facts and circumstances concerning Client's assets and Client's family as well as Client's desires with respect to the disposition of Client's property.

4. RETENTION OF FIRM RATHER THAN PARTICULAR ATTORNEY. Although it is the understanding of the parties hereto that Client is primarily retaining Jeffrey L. Campbell, it is further understood that Client is retaining Campbell Law Firm, and the attorney services to be performed for client may be assigned to other attorneys and/or legal professionals employed by the Law Firm as may be determined in the discretion of Jeffrey L. Campbell.

5. DELEGATION OF SERVICES. Client understands that Law Firm includes more than one attorney, and that one or more attorneys may be utilized in the proceedings involving Client's case. Client further understands that support personnel from Law Firm may also do work in connection with Client's case.

6. LEGAL SERVICES TO BE PROVIDED. The legal services to be provided by Law Firm to Client are as follows: Attend board meetings as required by the Client, perform legal research, prepare legal opinions and briefs, conduct general litigation in behalf of the County as directed by the Board of Supervisors with the consent of the undersigned counsel, review bonds, contracts and planning documents; and provide legal advice to various County departments, advise and handle land use acquisition and dispositional transactions and other matters as specifically assigned by the Client.

If Client wishes that Law Firm provide any legal services not covered by this agreement, a separate written agreement between Law Firm and Client will be required. In the event Law Firm provides services at Client's request on any matter other than that specified in this agreement, Client agrees that the terms of this agreement shall govern our relationship for that matter in the absence of a separately signed written fee agreement. However, any additional services will be billed according to the Rate Schedule attached hereto.

7. FEES/DEPOSIT. Client agrees to pay the Law Firm on a monthly basis at the rate of \$100.00 per hour. Client agrees to pay an initial retainer of \$5,000.00 against which all monthly billable hours shall be assessed. Law Firm agrees to provide Client with a monthly invoice detailing all billable hours and assessable costs against said retainer. Client agrees that the retainer shall be replenished each month subsequent to its receipt of the monthly invoice provided by the Law Firm. Law Firm agrees that the total of all fees, costs and expenses Client will incur during the duration of this Agreement shall be capped at \$100,000.00 annually.

8. EXTRA COSTS. Law Firm may incur various costs and expenses in performing legal services under this agreement. Client agrees to pay reasonable costs associated with the services.

9. TERM OF CONTRACT AND DISCHARGE OF LAW FIRM. This Representation Agreement shall run for a period of one (1) year from the date of execution by the Client. This Contract shall be renewable, at the election of both parties, upon its terms and conditions for two successive one-year terms. Any intent to renew shall be evidenced, in a writing signed by both parties at least sixty-days prior to the expiration of the initial term or any renewed term hereunder. Client may, however, discharge Law Firm at any time by written notice effective when received by Law Firm. Unless specifically agreed by Law Firm and Client, Law Firm will provide no further services and advance no further costs on Client's behalf after receipt of the notice unless Law Firm is required by ethical or legal reasons to continue representing Client.

10. WITHDRAWAL OF LAW FIRM. Law Firm may withdraw at any time as permitted under the Rules of Professional Conduct of the Virginia State Bar. The circumstances under which the Rules permit such withdrawal include, but are not limited to, the following: (a) Client consents to withdrawal, (b) Client's conduct renders it unreasonably difficult for Law Firm to carry out the employment effectively, or (c) Client fails to pay attorneys' fees or costs as required by his or her agreement with Law Firm. Notwithstanding Law Firm's withdrawal, Client will remain obligated to pay Law Firm the agreed fee for services provided, and to reimburse Law Firm for all costs advanced, before the withdrawal.

11. RELEASE OF CLIENT'S PAPERS AND PROPERTY. In the event that Client requests that Law Firm relinquish Client's original documents in his or her file, Client agrees to give Law Firm at least five (5) working days written notice of Client's request in order to provide Law Firm's staff sufficient time to make a copy for Law Firm's records. In the event expedited service is requested, Client agrees to pay for clerical staff overtime for Law Firm to accommodate Client's request.

12. MALPRACTICE COVERAGE. Law Firm agrees to maintain malpractice liability insurance in an amount sufficient to cover any anticipated loss occasioned to client as a result of negligent acts of the Law Firm.

13. ENTIRE AGREEMENT. This agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this agreement will be binding on the parties.

14. SEVERABILITY IN EVENT OF PARTIAL INVALIDITY. If any provision of this agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision will be severable and remain in effect.

15. MODIFICATION BY SUBSEQUENT AGREEMENT. This agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them or an oral agreement to the extent that the parties carry it out.

16. DOCUMENT RETENTION. It is Law Firm's policy to retain Client's file in Law Firm's storage facility for a period of not more than seven (7) years. Thereafter, Law Firm will ultimately destroy all files, documents, records, and writings related to each engagement for which Law Firm has been retained without notifying Client of the destruction of these items. Therefore, to be certain that Law Firm has not retained any material that Client may need or desire, Law Firm will return to Client all original documents Client has made available to Law Firm if Client so instructs Law Firm in writing within thirty (30) days after Law Firm mails to Client a letter informing Client that Law Firm has completed the services agreed to be provided under this agreement. After the thirty (30) day period has expired, Law Firm will charge a \$25.00 fee for obtaining Client's file from Law Firm's storage facility. Law Firm will not obtain Client's file from its storage facility until such sum has been received by Law Firm.

17. EFFECTIVE DATE OF AGREEMENT. The effective date of this agreement will be the date when, having been executed by Client, the agreement is received by Law Firm.

Once effective, this agreement will, however, apply to services provided by Law Firm on this matter before its effective date. Even if this agreement does not take effect, Client will be obligated to pay Law Firm the reasonable value of any services Law Firm may have performed for Client.

SMYTH COUNTY BOARD OF SUPERVISORS CAMPBELL LAW FIRM, P.C.

BY: _____
ITS: CHAIRMAN

BY: _____
ITS: PRINCIPAL

COMMONWEALTH OF VIRGINIA:

AT LARGE:

The foregoing Agreement was acknowledged before me this the ____ day of May, 2018, by M. Todd Dishner, Chairman, Smyth County Board of Supervisors and Jeffrey L. Campbell, Principal, in behalf of Campbell Law Firm, PC.

_____(NOTARY)

My Commission expires: _____

A meeting of the Smyth County Budget Committee was held at the County Office Building on Tuesday, May 1, 2018 at 3:30 p.m.

Committee Members Present:

Chairman, Park District Supervisor M. Todd Dishner
Rye Valley District Supervisor Rick K. Blevins
Chilhowie District Supervisor R. Curtis Rhea

Staff Members Present:

Michael Carter, County Administrator
Kelly Woods, Administrative Assistant
Scott Simpson, Assistant County Administrator

Chairman, Park District Supervisor M. Todd Dishner called the meeting to order at 3:44 P.M.

The following Budgets were presented and discussed.

*Solid Waste (Haul and Disposal)

In anticipation of receiving a budget for FY2018-2019 from the State of Virginia, Chilhowie District Supervisor R. Curtis Rhea made a motion to recommend scheduling the Public Hearing for the Smyth County School Board budget on Tuesday, June 12, 2018 at 6:00 P.M. and the public hearing for the County Budget on Tuesday, June 12, 2018 at 6:30 P.M. Rye Valley District Supervisor Rick K. Blevins seconded the motion and all agreed unanimously.

Michael Carter, County Administrator presented a 2018 Salary Survey published by VACO, which identifies what each locality's pay scale is for County Administrators, Chairman of the Board, and Board members.

At 4:47 p.m. Chairman Park District Supervisor M. Todd Dishner adjourned the meeting.

A meeting of the Smyth County Courthouse Committee was held at the County Office Building on Monday, April 30, 2018 at 4:30 p.m.

Committee Members Present:

Rye Valley District Supervisor Rick K. Blevins, Acting Chairman
Royal Oak District Supervisor Judy Wyant

Staff Members Present:

Scott Simpson, Assistant County Administrator
Kelly Woods, Administrative Assistant

Rye Valley District Supervisor Rick K. Blevins, Acting Chairman called the meeting to order at 4:27 p.m.

Scott Simpson, Assistant County Administrator presented information concerning two (2) separate requests that had been received from the Architecture firm and General Contractor from the Courthouse project to allocate the IRS Section 179D tax deduction. Mr. Simpson explained the federal government allows owners of commercial buildings that incorporate energy efficient design strategies certain tax deductions. Since government entities do not pay taxes, the deduction can be allocated to the entity which created the technical specifications of the building that incorporates energy efficient design.

Discussion continued on this item, with the Committee asking for the full Board to review and discuss.

Having no other business to discuss, Acting Chairman, Rye Valley District Supervisor Rick K. Blevins adjourned the meeting at 4:54 pm.

A meeting of the Smyth County Solid Waste Committee was held at the County Office Building on Tuesday, April 10, 2018 at 3:30 P.M.

Committee Members Present: Chilhowie District Supervisor R. Curtis Rhea, Chairman
North Fork District Supervisor Phil Stevenson
Atkins District Supervisor Charles Atkins

Staff Members: Michael Carter, County Administrator
Jeff Campbell, County Attorney
Scott Simpson, Assistant County Administrator
Kelly Woods, Administrative Assistant

Chairman, Chilhowie District Supervisor R. Curtis Rhea called the meeting to order at 3:33 pm.

Michael Carter, County Administrator updated the Committee concerning the lease for the site the transfer station resides on with Walker Paving Company. The lease is for 8.8 acres and will expire in October, 2018. Discussion continued with the Committee identifying the possibility of extending the lease for an additional term or any additional considerations concerning the site that would allow continued use of the site by the County.

After Discussion, North Fork District Supervisor Phil Stevenson made a motion to allow staff to enter into conversations with Walker Paving concerning the property the Transfer Station resides on. Atkins District Supervisor Charles Atkins seconded the motion and all agreed unanimously.

With nothing else to discuss, Chairman, Chilhowie District Supervisor R. Curtis Rhea adjourned the meeting at 4:01 p.m.

A meeting of the Smyth County Solid Waste Committee was held at the County Office Building on Tuesday, April 24, 2018 at 8:00 A.M.

Committee Members**Present:**

Chilhowie District Supervisor R. Curtis Rhea, Chairman
 North Fork District Supervisor Phil Stevenson
 Atkins District Supervisor Charles Atkins

Staff Members:

Michael Carter, County Administrator
 Jeff Campbell, County Attorney
 Scott Simpson, Assistant County Administrator
 Kelly Woods, Administrative Assistant
 Wally Blevins, Solid Waste Foreman

Chairman, Chilhowie District Supervisor R. Curtis Rhea called the meeting to order at 8:10 A.M.

Michael Carter, County Administrator presented the bids received for Solid Waste Transportation and Disposal Services as shown below, stating that two (2) disposal bids were received and three (3) transportation bids were received.

Solid Waste RFP's
Disposal and Transportation

Disposal			
Company	Term	Breakdown	Amount
<i>Republic Services</i>	No Bid	n/a	No Bid
<i>Advanced Disposal</i>	3 years	2018	\$18.00/ton
		2019	\$18.54/ton
		2020	\$19.10/ton
	5 years	2018	\$17.50/ton
		2019	\$18.03/ton
		2020	\$18.57/ton
		2021	\$19.12/ton
		2022	\$19.70/ton
<i>City of Bristol</i>	5 years	2018	\$16.75/ton
		2019	\$16.99/ton
		2020	\$17.23/ton
		2021	\$17.47/ton
		2022	\$17.71/ton
Ability to negotiate terms before end on current contract		*gross disposal price includes \$0.15/ton State fee*	

Transportation				
Company	Site	Term	Breakdown	Amount
Republic Services	n/a	No Bid	n/a	No Bid
Kestner Excavating	City of Bristol	3 years	2018-2020	\$21.00/ton
		5 years	2018-2022	\$17.50/ton
	Advanced Disposal	3 years	2018-2020	\$23.50/ton
		5 years	2018-2022	\$18.50/ton
CEI	Advanced Disposal	3 years	2018	\$20.36/ton
			2019	\$20.87/ton
			2020	\$21.40/ton
		5 years	2018	\$20.36/ton
			2019	\$20.87/ton
			2020	\$21.40/ton
			2021	\$21.93/ton
			2022	\$21.47/ton
			minimum billing of 22 tons per load	
W&L Hauling	City of Bristol	3 years	2018-2020	\$25.50/ton
		5 years	2018-2022	\$24.50/ton
	Rail Utilization	\$24.50/ton		
	Advanced Disposal	3 years	2018-2020	\$32.00/ton
		5 years	2018-2022	\$30.40/ton

After discussion, Atkins District Supervisor Charles Atkins made a motion to qualify W-L Hauling and Kestner Excavating as candidates for Transportation Services; and the City of Bristol and Advanced Disposal for Disposal Services. North Fork District Supervisor Phil Stevenson seconded the motion and all agreed unanimously.

Atkins District Supervisor Charles Atkins made a motion to allow Michael Carter, County Administrator to enter into negotiations with the qualifying companies for Solid Waste Haul and Disposal services. North Fork District Supervisor Phil Stevenson seconded the motion and all agreed unanimously.

In addition to the above, a request was made to gather information needed for the County to provide the hauling services for Solid Waste to a disposal site. Atkins District Supervisor Charles Atkins made a motion to allow staff to solicit bids for equipment needed for the service. North Fork District Supervisor Phil Stevenson seconded the motion and all agreed unanimously.

Bids will be due May 11, 2018 and after comparisons, information will be brought back to the Committee at a later date. Mr. Carter will also report information concerning the negotiations once all meetings with potential candidates have been concluded.

With nothing else to discuss, Chairman, Chilhowie District Supervisor R. Curtis Rhea adjourned the meeting at 9:00 a.m.